

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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RICARDO GUTIERREZ,

Plaintiff,

21 CIVIL 3211 (JPO)

-v-

**JUDGMENT**

KILOLO KIJAKAZI, ACTING  
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated November 9, 2022, Judge Figueredo's Report and Recommendation is ADOPTED in full. The Commissioner's motion for judgment on the pleadings is DENIED; Plaintiff's cross-motion for judgment on the pleadings is GRANTED; and the case is hereby REMANDED to the Commissioner for further administrative proceedings; accordingly, the case is closed.

**Dated:** New York, New York  
November 29, 2022

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**

*K. mango*

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**Deputy Clerk**